VIRGINIA'S FIGHT FOR FREE RELIGION

"Religious Petitions" by Baptists, Presbyterians and Others.

ON EXHIBITION IN THE STATE LIBRARY

Story of Their Origin and How the Long Contest Against the "Establishment" Was Carried On by the Earnest "Dissenters."

A collection of especially interesting and important manuscripts will be put on exhibition in the portrait gallery of the State Library this week by the Department of Archives and History. This collection is that of "religious petitions," which were presented to the General Assembly during the momentous years of the Revolution and the years succeeding. These documents will be so arranged, with accompanying cards, that the progress of the struggle which ended in complete religious freedom may be studied from beginning to end. A number of these religious petitions will be included among the State Library's exhibit at the Jamestown Exposition.

Interesting as the history of the overthrow of established religion in Virginia is, the majority of people are ignorant of it. The story of the struggle is told in these petitions with a fulness seldom found, and consequently the collection will have a more than usual interest for those who love the history of the State. In fact the religious petitions are the only source for certain phases of the religious conflict in Virginia, and this is the first time that they have been exhibited.

Origin of Petitions.

For a proper understanding of their value, it is necessary to know something of the conditions which produced them and the grievances that they endeavored to remedy. It is difficult for us, with our acquaintance with the present condition of things in Virginia, spiritual and temporal, to appreciate the conditions existing in the State at the beginning of the Revolution.

There was an established church in Virginia—the Church of England. The people were required to attend its services, and were taxed for its support. In return the people received the services of a somewhat inferior clergy, which was criticised as being unlearned, unenthusiastic and generally acquainted with the world, the flesh and the devil. The criticism was probably overdrawn, but there can be no doubt that the clergy exercised little influence upon their parishioners. The burning zeal of the dissenting preachers, their rivals, may have thrown the clergy of the Established Church into a different relief from that in which they would stand to-day.

At all events, things religious were out of joint in Virginia for some years prior to the Revolution. The spirit of rebellion against authority was on foot throughout the Colony, and applied to religion as well as to politics. The Established Church, Church of England in Virginia, became unpopular with many people, because of its connection with royal authority, the character of its clergymen, and, not the least, because of the taxes extorted for its maintenance. The local tyranny exercised by many vestries in church matters did not enhance the popularity of the Establishment. Indeed, some writers attribute the deficiencies of the Established Church to its lack of ecclesiastical control and the corresponding power of the vestries. The church, they say, was not episcopal.

Wonderful Awakening.

Popular discontent with the church found expression in the celebrated "Parsons' Cause," in 1763, when the youthful Patrick Henry began his fine agitating career. The clergy of some parishes attempted to collect their tithes of tobacco, as fixed by the law at so many pounds, at a time when tobacco was high. The law was appealed to; the parsons were legally right, but Henry's tongue confounded them.

Conditions were ripe in Virginia for the growth of active dissent. The means of growth were supplied by one of those religious movements which have so often convulsed the British people. This was the great revival of the Wesleys, Whitefield and Edwards. The conception of religion as a conscious and intimate relationship between the soul and God was preached as never before, and awoke the slumbering religious instincts of the English-speaking people.

The Presbyterians were the first dissenting sect to enter Virginia as a sect. They were chiefly Scotch-Irish, of the West, and they did not at once affect Eastern Virginia. But some years before the Revolution the Presbyterians began to make headway in Hanover and the adjoining counties, and presently Baptists, Quakers, Methodists and others entered the State and propagated their doctrines. The Baptists especially grew rapidly and disturbed the conventional and unemotional Virginia of the eighteenth century to its depths.

Indeed, the effects of burning evangelical Christianity, preached crudely, but with utmost sincerity, were marvelous. The old Virginia of that day was used to dull and sleepy lectures upon morality, delivered unenthusiastically to highbacked pews and powdered dignity. Into this drowsy land the itinerant exhorters flocked and vividly painted heaven and hell, disturbing the peace of mind of the whole community.

Persecution Followed.

The first case of imprisonment seems to have taken place in Fredericksburg in 1768. John Waller, Lewis Craig, James Childs and others were hauled up before three magistrates, who offered to release them if they would promise to spare the county their sermons for a year and a day. They refused, and were marched to jail, singing as they went through the streets: "Broad is the way that leads to death." Some of the natives believe that the curse of this persecution stopped the growth of the town for a hundred years.

A number of similar cases of imprisonment followed, and legal persecution was sometimes accompanied by mob outrage, as the powerful emotions awakened by the religious revival antagonized those whom it did not attract. Persecution, as is sometimes the case, but not always, aided the growth of the persecuted sect.

The Baptists increased in numbers, as did the Presbyterians, while many Quakers and other sectarians came into the State from the North.

It was now the beginning of the Revolution. The chief questions that strained the relations between king and colonies were political, and religious matters might not necessarily have entered into the conflict to a great extent. This was certainly the preference of a majority of the leading patriots, who were churchmen while they were rebels.

But revolutions sometimes accomplish more than they aim at. The dissenters, now largely outnumbering the churchmen, were determined that religious as well as political liberty should be secured, and the dissenters had the sympathy of some of the strongest men of the day.

A politic motive for assisting the dissenters lay in the fact that the State would need their warm support in the coming struggle. To men as broad as Jefferson, Madison and Mason, the occasion called for the general assertion of liberal principles. When the convention of 1775 met as a convention, and no longer as the House of Burgesses, the dissenters began to send in petitions, and it was by petitions attacking or defending the Established Church that the struggle was chiefly waged.

The Baptists, in a petition dated August 11, 1775, expressed sympathy for the patriot cause and asked that their ministers might have the liberty of preaching to the Virginia troops. The convention could not well refuse this request and passed a resolution permitting dissenting clergymen to preach to the soldiers "for the ease of such scrupulous consciences as may not choose to attend divine services as celebrated by the chaplain."

The dissenters had not yet begun to attack the church in petitions. The first move for religious freedom came from the convention of 1776 in the Bill of Rights. In this notable body sat Archibald Cary, Robert Carter Nicholas, Patrick Henry, Richard Bland, Thomas Ludwell Lee, John Blair, Meriwether Smith, James Mercer, Edmund Pendleton, Edmund Randolph, Henry Tazewell, James Madison, George Mason and other men of mark. Some of them were strong defenders of the establishment, but the genuine love of liberty which animated Mason, Madison and their followers, as well as the necessities of the moment, prevailed, and the famous sixteenth article of the Bill of Rights was passed. It reads: "That religion, or the duty we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, and not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion according to the dictates of conscience; and that it is the mutual duty of all to practise Christian forbearance, love and charity towards each other."

Baptist and Presbyterian Onslaught.

This article was adopted June 12, 1776, and, on June 20th, the Baptists attacked the Establishment in a petition asking that they be allowed to maintain their ministers and enjoy the ministrations of these, without the necessity of supporting the clergy of "other denominations"—meaning, of course, the clergy of the Establishment.

The first General Assembly of Virginia met in October, 1776. The attack on the Establishment then became general, and many petitions, chiefly from the Presbyterians, poured in upon the Legislature. The Presbytery of Hanover asked for the repeal of laws countenancing religious denominations and enforcing taxation for their benefit. One immense petition, signed by 10,000 names, and many yards in length, attested to the number and unanimity of the dissenters.

The Assembly bowed before the public will, and passed a law on December 9, 1776, exempting dissenters from the support of the church. This bill was carried only after a severe struggle, in which Pendleton and Nicholas led the conservatives.

Dissenters were relieved of the burden of supporting the Establishment with their taxes, but the question of State interference in religious matters was not yet settled. It was still a debated question whether there should be taxation for ecclesiastical purposes. Meanwhile, the opponents of the Establishment secured a postponement of the payment to it of any taxes at all. This condition of abeyance lasted through the years 1776-1779, in which time a number of petitions were presented, asking for the overthrow of the Establishment, or opposing the system of church taxation, which was called assessment.

Jefferson's Act Held Up.

In the session of 1779 the opponents of the Established Church made a determined assault upon it, and succeeded in crippling it seriously, although they were not able to secure their full demands. Taxation for the benefit of the clergy of the Establishment had been suspended for three years. Five suspending acts were passed, and in 1779 the laws for the support of the clergy were repealed. It now became impossible for the old Establishment to hope for an exclusive benefit from taxation, although the question of taxation itself still remained undecided.

The settlement of the latter could have been accomplished by the passage of Jefferson's "Act for Establishing Religious Freedom in Virginia." The bill for religious freedom was reported in the House of Delegates in June, 1779. It was held up, the enemy being too strong. The act, as finally passed, reads: "Be it enacted by the General Assembly, That no man shall be compelled to frequent or support any religious worship, place or ministry whatsoever, nor shall he be enforced, restrained, molested or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess and by argument to maintain their opinions in matters of religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities."

The bill was not passed, however, at this session and for a number of sessions to come. The bill did not pass for several reasons. The State was deeply involved in 1780-'81 in the progress of the war. After the establishment of peace in 1783, the old church, which had been paralyzed by the war, began to show signs of reviving. A plan was brought forward to secure the property still held loosely by the church by means of an act of incorporation, and to provide for the support of the clergy by a system of general taxation of all the citizens of the State for the benefit of the various churches.

This law would give each person the right to choose the church which should receive his tax. In this way the Presbyterians, Baptists, Methodists—if they considered themselves separate—and other sects would be established, as well as the Protestant Episcopal Church, which was the successor and heir of the old Establishment.

Several Makeshifts.

The plan was formidable through its leading advocate, who was none other than Patrick Henry. Time and responsibility had cooled the once ardent radical and he had become the maintainer instead of the upsetter of systems. A number of Presbyterians, and perhaps some other dissenters, seem to have favored this plan, which would have had the merit of making preaching a somewhat less precarious profession than it was.

A large part of the Assembly was Episcopalian. It was accordingly possible to do something for the battered old church. Accordingly, a law was passed in 1784 providing for the incorporation of the Episcopal Church.

By this law vestries were empowered to acquire property of a certain income; they might indulge in lawsuits or be sued, and (principally) they might hold the glebes and other church property formerly belonging to the Establishment, but now claimed by the Episcopal Church as heir. This act was followed in December, 1784, by "A bill establishing a provision for the teachers of the Christian religion." The bill was the plan for the general support of religion and religious sects by means of taxation.

It was true that this bill gave the same right to all sects which called themselves Christians, a term that in those days was largely inclusive. It was not, however, in the line of religious freedom, and small consolation would the irreligious tax-payer have found in the privilege of choosing a destination for his unwillingly paid taxes. Immediately the war of petitions was renewed as never before, and from almost every county of the State came denunciations of the plan or fervent appeals for its support.

Madison to the Rescue.

James Madison was the leader in the fight against incorporation and assessment. He put forth his famous "Remonstrance," which at once had great effect throughout Virginia. The balance went decidedly against the taxation plan. The Presbyterians, who had in some instances favored assessment, now closed up solidly against it, and the Baptists, who had been solidly against it all along, refreshed their zeal. Madison seized the opportunity to once more bring forward Jefferson's bill for religious freedom.

Modest James had proved to be a trusty guardian of this bill, which his great and good friend Jefferson had fathered, and had stood by it through many disappointments. The bill passed the House on December 17, 1785, and put an end to all plans of church establishment, general or particular.

But the Episcopal Church was still incorporated, and the other religious sects sent in petition after petition opposing it, and signed apparently by nearly all the inhabitants of the State. As long as the church continued incorporated, its title to the old glebes and other property handed down to it remained good. The Legislature bowed again before what was plainly the popular will, and in 1786 repealed the incorporating act. The glebes continued to remain in the hands of the vestries, where those were any vestries, but they were held by a very uncertain tenure.

It was the object of the Baptists to change this uncertain possession into a certain dispossession. The principle of republican equality was on their side. From 1786 until the end of the century the Baptists, and possibly other dissenters, continually put in petitions for the sale of the glebes and the appropriation of the proceeds for other purposes than the support of religious denominations. Carthago est delenda!

The Episcopalians struggled pathetically against the loss of this last privilege, which appealed to them as an absolute right. "That conveying their society hath under laws passed more than a century previous to the Revolution," said one of these petitions, dated 1795, "the same right to their glebe and church, as each individual has to his property legally vested during the royal government, they have continued to hold and use them for their appropriated purposes; in all other respects considering themselves in a state of perfect equality with their brethren of other societies—ardently wishing to live in peace and harmony, and the intercourse of benevolence and charity with all." This was a strong plea, but the opponents of Episcopal glebes were able to put forth the argument that the glebes in many cases represented the taxation of all the inhabitants, dissenters as well as churchmen, for the benefit of the Establishment alone, and, therefore, that no single church had the right to property so gotten; consequently that the State should use the property for purposes which would benefit all.

The unfailing supply of petitions at last produced their effect. In January, 1802, the Assembly passed an act directing the sale of the glebes, and the proceeds were devoted chiefly to the poor. The last scene of the religious drama in Virginia was thus played, and the Establishment totally passed away.

The supporters of ecclesiastical establishment and taxation long argued that the withdrawal of all State support from religion would mean the overthrow of religion; that religion in this world of evil cannot stand alone. Dissenters retorted with a reminder of the friendless but healthy condition of the primeval church. In the early years of the nineteenth century the doubters seemed to have the best of the argument, for religion was in a sad state of decline. This came about, however, from other causes than disestablishment. It was chiefly due to the license bred by war and upheaval, and to the propagation of "French principles" in the State. Virginia became full of skepticism and atheism. Curiously enough, skepticism and atheism flourished as a green bay tree and withered; for before many years had passed there was a great and general revival of religion in the old Commonwealth, and the Church influence interested only as a memory.

All Virginians should see the "Religious Petitions" that will be placed on exhibition in the portrait gallery of the State Library this week. They eloquently tell the long story of the most remarkable contest this country has ever known.